

COUNTY OF YORK

MEMORANDUM

DATE: September 5, 2000 (BOS Mtg. 9/19/00)

TO: York County Board of Supervisors

FROM: Daniel M. Stuck, County Administrator

SUBJECT: Review of Land Uses Permitted in IL Zoning District

BACKGROUND

At its July 18, 2000, meeting, the Board of Supervisors adopted a Zoning Ordinance text amendment to delete places of worship as a permitted use in the IL (Limited Industrial) zoning district. The purpose of this action was to remove the potential for incompatible land uses in this district (i.e., a church next door to an industrial use) and to preserve what remains of the County's undeveloped IL-zoned land for revenue-generating uses. During its deliberations on this matter, the Board directed staff to review the Zoning Ordinance Table of Land Uses to determine if there are any additional uses permitted in the IL district that are not consistent with good planning practice and the County's long-term land use goals.

CONSIDERATIONS/CONCLUSIONS

The Zoning Ordinance states that "(t)he IL district is intended to provide opportunities for a wide variety of light manufacturing, fabricating, assembling, processing, wholesale distributing, and warehousing uses" that have relatively low impacts in terms of smoke, noise, and vibration. The only commercial uses envisioned for this district are those that would be "compatible with and complementary to" the permitted types of industrial activities inasmuch as they would provide needed goods and services to nearby light industrial uses (for example, hardware stores, office supply stores, and paint stores). The reasons for limiting commercial uses in this way are "to preserve land for these industrial activities, to reduce extraneous traffic, and to avoid future conflicts between industry and other uses."

After reviewing the Zoning Ordinance Table of Land Uses (§24.1-306), staff has identified several land uses that do not appear to meet the criteria set forth above but are currently permitted in the IL district:

- Meeting halls and private clubs operated by social, fraternal, civic, public, or similar organizations raise the same concern as places of worship with regard to the need to maintain the County's available supply of revenue-generating industrial land since such organizations could be tax-exempt. Furthermore, such establishments are not compatible with industrial development.
- Day care centers and nursery schools are permitted as a matter of right in the IL district, as are several retail and service uses, including convenience stores, camera shops, florists, bike stores, optical goods shops, thrift stores, and barber shops. Some of these uses may be appropriate within a comprehensively planned and unified industrial or office park; in fact, the Zoning Ordinance performance standards for business and industrial parks (§24.1-482) specify day care centers, florists, barber shops, and convenience stores as permitted uses within such parks. To permit these and other general retail and service uses as **freestanding** establishments, however, would defeat the stated purposes the IL provisions are intended to serve. Whereas industrial parks are typically designed to incorporate commercial and service activities that serve the employees and patrons, stand-alone businesses serving the public at large would attract traffic that otherwise would not enter

the industrial area and, in many cases, would conflict with light industrial activities located nearby. I recommend that day care centers, florists, barber shops, and convenience stores continue to be permitted within business and industrial parks but not as freestanding uses. As for camera shops, bike stores, optical goods shops, and thrift stores, it is recommended that they be deleted from the IL district entirely.

RECOMMENDATION

I recommend that the Board sponsor an application to amend the Zoning Ordinance Table of Land Uses (§ 24.1-306) to delete the following land uses as permitted uses in the IL zoning district:

- Meeting halls, recreational, social uses, or private clubs operated by social, fraternal, civic, public, or similar organizations (category 4, number 1)
- Pre-school child care, nursery school (category 5, number 1)
- Convenience store (category 10, number 5)
- Camera shop, one-hour photo service (category 10, number 8)
- Florist (category 10, number 9)
- Bike store, including rental/repair (category 10, number 28)
- Optical goods, health aids or appliances (category 10, number 30)
- Second hand, used merchandise retailers (category 10, number 34)
- Barber/beauty shop (category 11, number 2)

This can be accomplished through the adoption of proposed Resolution No. R00-147. These changes would not affect those uses that are permitted within a business or industrial park, both of which are permitted as a matter of right in the IL district.

Adoption of this resolution does not necessarily mean that the Board agrees with all these changes; it merely refers the proposed amendments to the Planning Commission for its review and consideration prior to final consideration by the Board, with public hearings to be conducted by both bodies.

Attachment

- Proposed Resolution No. R00-147

Baldwin/3495.tcc